



The HIGH ROAD

"Preserving public confidence in public servants."

No. 95-1

Hawaii State Ethics Commission

February 1995

COMMISSION ELECTS CHAIR AND VICE CHAIR FOR 1995

The Hawaii State Ethics Commission has elected Carl Sakata as its chairperson and Leolani Abdul as its vice chairperson for 1995. The current members of the Commission are:

Carl Sakata, Chair
Leolani Abdul, Vice Chair
K. Koki Akamine
Dr. Sharon "Shay" Bintliff

There is one vacancy on the Commission due to the recent resignation of Commissioner Don Daley. Mr. Daley was appointed to the Commission in 1993. He has resigned because of business commitments on the mainland. We thank Mr. Daley for volunteering his time and service to the Commission and wish him the very best.

ETHICS AND LOBBYING LEGISLATION '95

One of the most popular subjects at the State Legislature this year is: ETHICS. The Commission is currently tracking over 70 legislative bills concerning ethics and other related subjects (such as lobbying, elections, and campaign finance). The Commission itself has proposed the following legislation for 1995:

- **Public hearings for ethics charges.** The Commission has proposed a bill that provides for public hearings on ethics charges. Currently, the Commission's hearings are closed to the public. The bill would also make public any disciplinary action taken against a state official or employee who violates the ethics laws. (S.B. No. 1291/H.B. No. 1504)
- **Longer statute of limitations for ethics violations.** The Commission is seeking to extend the statute of limitations for ethics violations from 3 to 6 years. (S.B. No. 1290/H.B. No. 1503)
- **Fines for late filers of financial disclosures.** The Commission has proposed that monetary fines be imposed against state officials and employees who fail to file financial interest disclosures in a timely manner. (S.B. No. 1289/H.B. No. 1501)
- **Hearings on charges of incomplete candidate financial disclosures.** Candidates for state elective office must file financial interest disclosures with the Commission before an election. The Commission has proposed legislation that would enable it to hold charge hearings to determine whether or not candidates have made complete disclosures of their financial interests as required by law. (S.B. No. 1283/H.B. No. 1502)
- **Elimination of amendatory financial disclosure forms.** The Commission would like to repeal a provision in the law that allows state officials to report their financial interests to the Commission using abbreviated amendatory disclosure forms. These forms have led to much confusion and difficulty in the administration of the law. (S.B. No. 1288/H.B. No. 1499)
- **Prohibition against former legislators lobbying either legislative house for one year after state service.** The Commission is seeking to amend the post-employment law to prohibit former state legislators from lobbying either house of the legislature for

a period of one year after leaving state office. (S.B. No. 1286/ H.B. No. 1500)

- **Additional expenditures filing for lobbyists.**

The Commission has proposed a bill to require lobbyists and their employers to file statements of lobbying expenditures and contributions three times a year. Currently, lobbyists are required to file only two expenditures statements with the Commission each year. (S.B. No. 1287/H.B. No. 1498)

- **New definition of "lobbyist."** The lobbyist law requires all "lobbyists" to register and to file expenditures statements with the Commission. The Commission is seeking to amend and clarify the statutory definition of a "lobbyist." (S.B. No. 1285/ H.B. No. 1497)

- **Rule-making authority to administer the lobbyist law.** As a housekeeping measure, the Commission is seeking statutory authority to promulgate rules in order to administer the lobbyist law. (S.B. No. 1284/H.B. No. 1496)

1994 COGEL CONFERENCE TELEVISED ON 'OLELO

The 16th Annual Conference of the Council on Governmental Ethics Laws ("COGEL") was broadcast on television by 'Olelo on February 12, 16, and 24. The Hawaii State Ethics Commission, the State of Hawaii Office of Information Practices, and the Hawaii County Board of Ethics co-hosted the conference, which was held at the Ala Moana Hotel on December 4-7, 1994. The 'Olelo broadcast featured conference speakers Rushworth Kidder of the Institute for Global Ethics; Mayumi Moriyama of the Japanese Diet; Judge Johann Kriegler of the South African Elections Commission; Ellen Miller of the Center for Responsive Politics; and Father Joseph O'Hare of Fordham University.

Audiotapes and videotapes of the 1994 COGEL Conference sessions are available for purchase. Interested persons should contact the Commission for more information.

LOBBYIST REGISTRATION REMINDER

The Lobbyist Law (chapter 97, Hawaii Revised Statutes) requires lobbyists to register with the State Ethics Commission. An individual must register if he or she is engaged for **pay or other consideration** to lobby **AND** also meets **either** of the following criteria:

(1) Spends more than 5 hours in any month for the purpose of lobbying,

or

(2) Spends more than \$275 in any six-month period for the purpose of lobbying.

Individuals who meet these criteria must file a registration form with the Commission within five days of becoming a lobbyist.

All registered lobbyists must renew their registrations with the Commission biennially. All 1993 - 1994 lobbyist registrations automatically terminated on December 31, 1994. Lobbyists who registered with the Commission before December 31, 1994, and who are continuing to lobby for the 1995 session, should have renewed their registrations with the Commission **within ten days of the opening of session**.

If you have not renewed your lobbyist registration, please contact the Commission immediately. All questions concerning the lobbyist registration requirements can be directed to the Commission's staff at 587-0460.

The High Road is a publication of the Hawaii State Ethics Commission.

Commissioners: Carl Sakata, Chair; Leolani Abdul, Vice Chair; K. Koki Akamine; Sharon "Shay" Bintliff

Executive Director: Daniel Mollway

Address: P.O. Box 616

Honolulu, HI 96809

Telephone: 587-0460

Fax: 587-0470